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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Avram Scheiner et al.

Title:

SYSTEM AND METHOD FOR MONITORING AUTONOMIC BALANCE AND PHYSICAL ACTIVITY

Docket No.: 279.656US1

Serial No.: 10/695,430

Filed: October 28, 2003

Due Date: N/A

Examiner: Unknown

Group Art Unit: 3737

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

☒ A return postcard.

☒ A Communication Concerning Related Applications (2 pgs.).

☒ An Information Disclosure Statement (2 pgs.), Form 1449 (9 pgs.), and copies of 52 cited documents.

If not provided in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By:

Atty: David W. Black

Reg. No. 42,331

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of March, 2005.

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



Serial No. 10/695,430

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Avram Scheiner et al. Examiner: Unknown
Serial No.: 10/695,430 Group Art Unit: 3737
Filed: October 28, 2003 Docket: 279.656US1
Title: SYSTEM AND METHOD FOR MONITORING AUTONOMIC BALANCE
AND PHYSICAL ACTIVITY

COMMUNICATION CONCERNING RELATED APPLICATION(S)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related application(s) in the above-identified patent application:

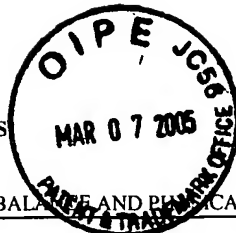
<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
08/570,727 5,749,900	December 11, 1995	1080.017US1	IMPLANTABLE MEDICAL DEVICE RESPONSIVE TO HEART RATE VARIABILITY ANALYSIS
09/005194 6,035,233	January 9, 1998	1080.017US2	RESPONSE TO HEART RATE VARIABILITY ANALYSIS (As Amended)
09/477979 6,144,878	January 5, 2000	1080.017US3	IMPLANTABLE MEDICAL DEVICE RESPONSIVE TO HEART RATE VARIABILITY ANALYSIS
09/978,848 6,571,121	October 15, 2001	1080.017US5	IMPLANTABLE MEDICAL DEVICE RESPONSIVE TO HEART RATE VARIABILITY ANALYSIS
09/978,855 6,571,122	October 15, 2001	1080.017US6	IMPLANTABLE MEDICAL DEVICE RESPONSIVE TO HEART RATE VARIABILITY ANALYSIS
10/436,876 2004/0230241 A1	May 12, 2003	279.564US1	STATISTICAL METHOD FOR ASSESSING AUTONOMIC BALANCE

COMMUNICATION CONCERNING RELATED APPLICATIONS

Serial Number: 10/695,430

Filing Date: October 28, 2003

Title: SYSTEM AND METHOD FOR MONITORING AUTONOMIC BALANCE AND PHYSIOLOGICAL ACTIVITY



Page 2
Dkt: 279.656US1

10/669168 2004/0133247 A1	September 23, 2003	279.566US1	METHOD FOR ISCHEMIA DETECTION BY IMPLANTABLE CARDIAC DEVICE
10/728,124 2004/0158295 A1	December 4, 2003	279.682US1	METHOD FOR EXCLUSION OF ECTOPIC EVENTS FROM HEART RATE VARIABILITY METRICS
10/850341	May 20, 2004	279.756US1	COMBINED REMODELING CONTROL THERAPY AND ANTI-REMODELING THERAPY BY IMPLANTABLE CARDIAC DEVICE

Respectfully submitted,

AVRAM SCHEINER ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6911

Date

March 3, 2005

By

David W. Black

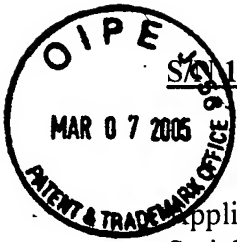
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Name

JAMES KAWYUSIK

Signature



Serial No. 10/695,430

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Avram Scheiner et al.	Examiner:	Unknown
Serial No.:	10/695,430	Group Art Unit:	3737
Filed:	October 28, 2003	Docket:	279.656US1
Title:	SYSTEM AND METHOD FOR MONITORING AUTONOMIC BALANCE AND PHYSICAL ACTIVITY		

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

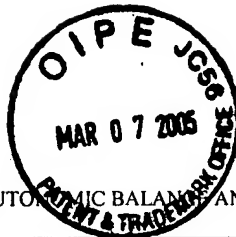
Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No : 10/695,430

Filing Date: October 28, 2003

Title: SYSTEM AND METHOD FOR MONITORING AUTOMATIC BALANCE AND PHYSICAL ACTIVITY



Page 2
Dkt: 279.656US1

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.


Respectfully submitted,

AVRAM SCHEINER ET AL.

By their Representatives,

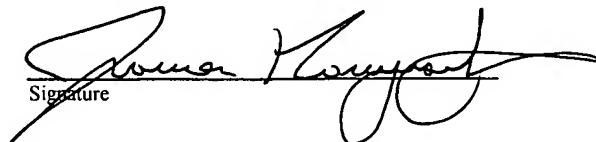
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6911

Date March 3, 2005

By 
David W. Black
Reg. No. 42,331

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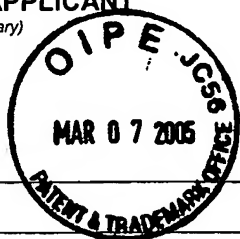
JAMES KAUYSIK
Name


Signature

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/695,430
Filing Date	October 28, 2003
First Named Inventor	Scheiner, Avram
Group Art Unit	3737
Examiner Name	Unknown

Sheet 1 of 9

Attorney Docket No: 279.656US1

US PATENT DOCUMENTS

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EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO
**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Complete if Known

Application Number	10/695,430
Filing Date	October 28, 2003
First Named Inventor	Scheiner, Avram
Group Art Unit	3737
Examiner Name	Unknown

Sheet 2 of 9

Attorney Docket No: 279.656US1

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EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO
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STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

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Application Number	10/695,430
Filing Date	October 28, 2003
First Named Inventor	Scheiner, Avram
Group Art Unit	3737
Examiner Name	Unknown

Sheet 3 of 9

Attorney Docket No: 279.656US1

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EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>	Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/695,430</td> </tr> <tr> <td>Filing Date</td> <td>October 28, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Scheiner, Avram</td> </tr> <tr> <td>Group Art Unit</td> <td>3737</td> </tr> <tr> <td>Examiner Name</td> <td>Unknown</td> </tr> </table>	Application Number	10/695,430	Filing Date	October 28, 2003	First Named Inventor	Scheiner, Avram	Group Art Unit	3737	Examiner Name	Unknown
Application Number	10/695,430										
Filing Date	October 28, 2003										
First Named Inventor	Scheiner, Avram										
Group Art Unit	3737										
Examiner Name	Unknown										
Sheet 4 of 9	Attorney Docket No: 279.656US1										

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Examiner Name	Unknown										
Sheet 5 of 9	Attorney Docket No: 279.656US1										

	US-6,564,096	05/13/2003	Mest, Robert A.	02/28/2001
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Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T ²
	EP-0555988A2	08/18/1993	Steinhaus, Bruce M., et al.	
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	WO-00/44274A2	08/03/2000	Pougatchev, V. I., et al.	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Heart Rate Variability: Standards of Measurement, Physiological Interpretation, and Clinical Use", European Heart Journal, 17, Prepared by the Task Force of The European Society of Cardiology and The North American Society of Pacing and Electrophysiology; published by the American Heart Association, Inc.; European Society of Cardiology, (1996), pp. 354 - 381	
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Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

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